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State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

MICHAEL R. STYLER
Executive Director

KENT L. JONES
State Engineer/Division Director

April 1, 2013

Mr. Justice Jorgensen
PO Box 834
Castle Dale, UT 84513

Dear Mr. Jorgensen:

Please find enclosed a revised assessment for the 2012 irrigation season. I understand the Wilsonville diversion flume is located where all water diverted from the Cottonwood Creek is measured. From discussions with Carolyn Jorgensen and with the river commissioner, I understand that a portion of the measured water is not used for irrigation but instead returned to the creek. As a result, the annual assessment is unduly high because it reflects all the water diverted from the creek being used for irrigation. In consideration of this inaccuracy, the Wilsonville assessment has been reduced \$300 from \$1,567.37 to \$1,267.37. A copy of the revised assessment is enclosed for which payment is respectfully requested.

In order to fairly assess water users, the water used must be accurately measured. In this regard please be advised that we will not reduce the annual assessment in the future. In order to have a fair and accurate assessment for water used at Wilsonville adjustments must be made to make the Wilsonville measurement accurate. A second measurement flume could be added to the channel where unused water is returned to the creek. Credit would be given for water measured at the return. Alternatively the existing measurement flume could be relocated downstream of the return so that only water actually used for irrigation passes through the flume. I, the river commissioner, or the water rights staff in the Price regional office would be happy to discuss these or other options to accurately measure the water used from the Wilsonville diversion. Thank you in advance for your cooperation in resolving this matter.

Feel free to contact me by phone at 801-538-7431 or by e-mail at SusanOdekirk@utah.gov.

Sincerely,

Sue Odekirk, P.E.
Cottonwood Creek Distribution System Engineer

CC: Marc K. Stilson, Southeast Regional Engineer
Dustin Huntington, Cottonwood Creek River Commissioner